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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/506,985	04/25/2005	Annette Steudel	30698/CDT414	8932
4743 7590 10/27/2009 MARSHALL, GERSTEIN & BORUN LLP 233 SOUTH WACKER DRIVE 6300 SEARS TOWER CHICAGO, IL 60606-6357			EXAMINER CHOI, LING SIU	
			ART UNIT 1796	PAPER NUMBER
			MAIL DATE 10/27/2009	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/506,985

Applicant(s)

STEUDEL ET AL.

Examiner

Ling-Siu Choi

Art Unit

1796

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 August 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) 16-25 and 27-38 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7 and 8 is/are rejected.
- 7) ☒ Claim(s) 6, 9-15 and 26 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 September 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

1. This office action is in response to the Amendment filed 10/27/2008. Claims 1-38 are now pending and claims 1-15 and 26 have been elected without traverse.

Claim Analysis

2. Summary of Claim 1:

A composition comprising a mixture of	
	at least one monomer with the formula: $A-(X)_n$ (1)
	at least one monomer with the formula: $B-(Y)_m$ (2)
where monomers of formula (1) are polymerisable with monomers of formula (2)	
n & m	integers greater than or equal to 2 such that n and m may be the same or different
X	a group containing a terminal thiol
Y	a group containing a reactive unsaturated carbon-carbon bond
	each X may be the same or different, each Y may be the same or different
A & B	molecular fragments such that at least one of A or B is an organic charge-transporting or organic light-emitting fragment
<u>the composition further comprising at least one of an emissive dopant and a charge transporting dopant</u>	

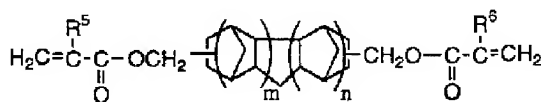
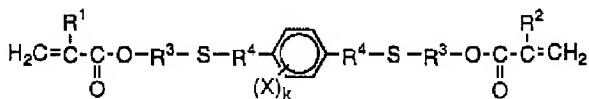
Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

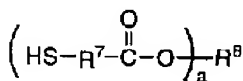
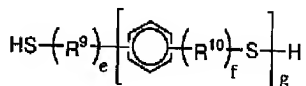
(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

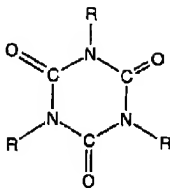
4. Claims 1-5 and 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tanamura et al. (JP 10-144469) in view of Thompson et al. (US 6,210,814 B1).

Tanamura et al. disclose a **composition comprising an organic luminescent layer and a substrate** for the organic electroluminescence device, the composition comprising a monomer containing polyfunctional acrylate in the formula of



and a monomer containing polymercapto group in the formula of





wherein R = SH (claims 1-3; [0013], [0035]-[0040]). Tanamura et al. further disclose that the photopolymerization is carried out in the presence of an ultraviolet ray absorbent which reads on the initiator ([0045]).

The difference between the present claims and the disclosure of Tanamura et al. is the requirement of at least one of an emissive dopant and a charge transporting dopant in the composition.

Thompson et al. disclose that an emissive molecule as a dopant in the host material affects the wavelength of light emitted when the emissive dopant molecule luminesces, wherein the emissive dopant is a polarization molecule selected from the group consisting of N,N-dimethylparanitroaniline, certain polyphenyls, certain stilbenes, certain fluorenes, and certain diphenylacetylenes (abstract). In light of such benefit, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the emissive molecule as the dopant in the composition, thereby obtaining the present claims.

Allowable Subject Matter

5. Claims 6, 9-15, and 26 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims because Tanamura et al. do not teach or fairly suggest the claimed composition, wherein the composition, in particular, comprises the specific monomer(s).

Response to Arguments

6. Applicant's arguments filed 08/05/2009 have been fully considered but they are not persuasive.

"Substrates and emissive layers are well known to be distinct layers having distinct functions in light emitting devices. Therefore, one of ordinary skill in the art would not be motivated to modify, the *substrate* of Tanamura to include either the emissive molecule dopant or the polarization molecule dopant disclosed in the *emissive layer* of Thompson."

The rejection is made in paragraph 5 because the composition disclosed by Tanamura et al. is interpreted to comprise an organic luminescent layer and a substrate. As such, the dopant to be motivated to be used in the organic luminescent layer instead of the substrate can be interpreted as such dopant in the composition even though the dopant is not in the substrate.

“Furthermore, neither the monomer containing polyfunctional acrylate nor the polyfunctional mercapto compound disclosed in Tanamura are charge transporting or light emissive, as recited in claims 1-5, 7, and 8.”

It is noted that the compounds cited in the paragraph 5 is not considered as the typical compounds for charge transporting or light emissive. However, the present claims do not cited any quantities to characterize the charge transporting or light emissive.

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ling-Siu Choi whose telephone number is 571-272-1098. The examiner can normally be reached on Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wu can be reached on 571-272-1114. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

/Ling-Siu Choi/

Primary Examiner, Art Unit 1796

October 25, 2009